

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

MICHAEL A. MILLER and ADRIANA)	
PEREZ, individually and on behalf of)	
similarly situated individuals,)	
)	
<i>Plaintiffs,</i>)	5:23-cv-00085-OLG
)	
v.)	
)	
BEXAR COUNTY,)	
)	
<i>Defendant.</i>)	

BEXAR COUNTY’S RESPONSE TO MOTION TO COMPEL INTERROGATORIES

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Now comes Defendant Bexar County and files this, its response to Plaintiffs’ Motion to Compel Interrogatory Responses (docket no. 25), and respectfully would show as follows:

1. Today, October 19, 2023, Bexar County served its answers to Plaintiffs’ interrogatories, the subject of Plaintiff’s motion to compel. Please see Exhibit A.

2. Plaintiffs’ lawsuit, and their interrogatories to Bexar County, relate to bond payment and release procedures at the Bexar County Adult Detention Center. Sheriff’s Office Corporal Gabriela Pacheco, Booking Liaison, assisted the undersigned counsel with information necessary to complete the interrogatory answers. Corporal Pacheco and the undersigned counsel met on August 1, 2023 to discuss document production pursuant to Plaintiffs’ requests for production and to begin formulating interrogatory answers. As is evident from the interrogatory answers, there are multiple Bexar County offices and court personnel involved in the bond payment/documentation and release process, and after reviewing the information gathered on August 1, 2023, the undersigned counsel determined that additional discussions with Corporal

Pacheco, and clarification on some of the documents and information provided, would be necessary to accurately answer the interrogatories. The undersigned counsel attempted several times to have additional discussions with Corporal Pacheco to complete the interrogatory answers, including several times in September before prompting from Plaintiffs' counsel and before Plaintiffs' counsel filed the motion to compel, but there inevitably was a conflict in schedules. Corporal Pacheco works first shift and often is called away to blotter meetings and conferences with her superior officers. The undersigned counsel has had an exceptionally busy past several months, including researching and drafting numerous dispositive motions in cases before the Western District and an appellate brief with the U.S. Fifth Circuit, in addition to managing the countless advisory issues that emerge on a daily basis from Bexar County offices and departments. In sum, Bexar County's delay in answering the interrogatories was not intentional. Bexar County also would request that the Court consider that Bexar County did respond to Plaintiffs' request for production by producing extensive records and the BCSO policy manual section concerning detainee release procedures. These documents evidence and explain some of the processes that Plaintiffs' interrogatories inquire about. Thus, it was not Bexar County's intent to deprive Plaintiffs of the information they sought; rather, the delay was to get additional information to answer the interrogatories as completely as possible.

Wherefore, premises considered, Bexar County respectfully requests that the Court deny relief in the form of sanctions or fees against Bexar County.

Respectfully Submitted,
JOE GONZALES
Bexar County Criminal District Attorney

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CERTIFICATE OF SERVICE

I hereby certify that, on October 19, 2023, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which provided electronic service upon all parties.

/s/ Robert Piatt
ROBERT W. PIATT III